

Nanette S. Edwards, *Executive Director*



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October 20, 2020

VIA ELECTRONIC FILING

Jocelyn G. Boyd, Esquire
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code
Ann. Section 58-37-40 Integrated Resource Plans for Lockhart Power Company
Docket No. 2019-227-E

Dear Ms. Boyd:

The Exhibit to Mr. Sandonato's Direct Testimony, Exhibit AMS-1 contains information that Lockhart Power Company ("LPC") stamped "confidential." On July 28, 2020, counsel for the South Carolina Office of Regulatory Staff ("ORS") sent to counsel for LPC a letter in which ORS indicated that:

...[ORS] conducts discovery through information requests issued under S.C. Code § 58-4-55.... ORS will treat information designated as confidential or proprietary as such until the producing party agrees otherwise or there is a ruling from the [Commission] or an appropriate court allowing for different treatment. Should ORS deem it necessary to provide to the Commission or a court information that has been designated confidential, ORS will provide the information to and contemporaneously request that the Commission or court place the information under seal. The submission of information under seal shall not constitute an admission or acknowledgment by ORS that the information is in fact confidential or proprietary.

Counsel for LPC raised neither question nor concern in response to the aforementioned letter. Accordingly, please find enclosed for filing the confidential and un-redacted version of Mr. Sandonato's Exhibit AMS-1, which ORS respectfully requests be filed under seal. While counsel for ORS and LPC attempted to work together to come to a consensus on information to be redacted,

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Letter – Jocelyn G. Boyd, Esquire
Page 2 of 2
October 20, 2020

due to time constraints, and in an abundance of caution, ORS is filing Mr. Sandonato's Direct Testimony Exhibit AMS-1, in its entirety, under seal.

ORS respectfully requests that the Commission grant LPC fourteen (14) days to allow LPC an opportunity to respond and indicate the specific portions of Exhibit AMS-1 that it believes are entitled to confidential protection. Upon receipt of LPC's designations, ORS will review the designations made by LPC and attempt in good faith to reach resolution. Should ORS and LPC be unable to reach resolution on the designation of confidential matters, ORS respectfully requests that the Commission make a determination as to the specific material entitled to confidential treatment.

Counsel for LPC are copied on this letter and served a copy of Exhibit AMS-1.

Sincerely,

/s/Andrew M. Bateman

Andrew M. Bateman

Encl.

cc: All Parties of Record (via e-mail)
David Butler, Esquire (letter and report via e-mail)